

### Remarks

The Office Action mailed June 26, 2007 has been carefully reviewed and the following response has been made in consequence thereof.

Claims 1-10 are now pending in this application. Claims 1-3, 5-7, and 10 stand rejected. Claims 4, 8, and 9 are objected to.

The rejection of Claims 2, 3, and 7 under 35 U.S.C. § 112, second paragraph, as being indefinite is respectfully traversed. Claims 2 and 7 have been amended to address the issues raised in the Office Action. Accordingly, Applicant respectfully requests that the Section 112 rejection of Claims 2, 3, and 7 be withdrawn.

The rejection of Claims 1-3, 5-7, and 10 under 35 U.S.C. § 102(b) as being anticipated by Cosman (U.S. Patent 5,748,703) is respectfully traversed.

Cosman describes a collimator that includes at least three layers of plates (Column 4, line 5), wherein each layer includes a pair of jaws/plate members that are mechanically attached in a tier. More specifically, within the stack of three tiers, the pairs of plate members have no direct mechanical relation (Column 5, lines 8-11; FIG.5; FIG.6), and each pair of jaws in the same tier moves independently in and out relative to a central axis (Column 5, line 8-11). Cosman also describes an adjusting mechanism that includes at least three adjusting devices that control the independent linear and rotational movement of each pair of plate members. Notably, Cosman does not describe nor suggest a follow-up mechanism which causes a pair of second plate members to move with movement of a pair of first plate members.

Claim 1 recites a collimator comprising “a pair of first plate members having a shielding property against a radiation and movable in a direction parallel to surfaces thereof, the pair of first plate members defining a radiation passing aperture by a spacing between respective opposed end faces . . . a pair of second plate members having a shielding property against a radiation and parallel to the pair of first plate members and movable in a direction parallel to surfaces thereof, the pair of second plate members having end faces opposed to

each other in the shielding property, the pair of second plate members overlapping the pair of first plate members at least partially so as to block any other radiation than the radiation passing through the aperture . . . a pair of third plate members having a shielding property against a radiation and parallel to the pair of second plate members, the pair of third plate members having respective end faces opposed to each other with a predetermined spacing, the pair of third plate members overlapping the pair of second plate members at least partially so as to block any other radiation than the radiation passing through the aperture . . . an adjusting mechanism which adjusts the aperture by moving the pair of first plate members . . . a follow-up mechanism which causes the pair of second plate members to move following the pair of first plate members with movement of the first plate members.”

Cosman does not describe or suggest a collimator as recited in Claim 1. More specifically, Cosman does not describe or suggest a collimator that includes three pairs of plate members that are arranged in parallel to each other and that at least partially overlap in the same direction. Further, Cosman does not describe or suggest a collimator that includes an adjusting mechanism that only controls the movement of a first pair of plate members. Moreover, Cosman does not describe or suggest a collimator that includes a follow-up mechanism that causes a second pair of plates to move with the movement of the first pair of plates. More specifically, as recited in Claim 1, the movement of at least one pair of plates is dependent on the movement of another pair of plates. In contrast, Cosman describes a collimator, wherein each pair of plates moves independently of the movement of every other pair of plates. Accordingly, Claim 1 is submitted to be patentable over Cosman.

Claims 2, 3, and 5 depend from independent Claim 1. When the recitations of Claims 2, 3, and 5 are considered in combination with the recitations of Claim 1. Applicant submits that Claims 2, 3, and 5 likewise are patentable over Cosman.

Claim 6 recites a radiation irradiator having a radiation source and a collimator for applying a radiation from the radiation source to an object through an aperture, the collimator comprising “a pair of first plate members having a shielding property against a radiation and movable in a direction parallel to surfaces thereof, the pair of first plate members defining a radiation passing aperture by a spacing between respective opposed end faces . . . a pair of

second plate members having a shielding property against a radiation, parallel to the pair of first plate members, and movable in a direction parallel to surfaces thereof, the pair of second plate members having end faces opposed to each other, the pair of second plate members overlapping the pair of first plate members at least partially so as to block any other radiation than the radiation passing through the aperture . . . a pair of third plate members having a shielding property against a radiation and parallel to the pair of second plate members, the pair of third plate members having respective end faces opposed to each other with a predetermined spacing, the pair of third plate members overlapping the pair of second plate members at least partially so as to block any other radiation than the radiation passing through the aperture . . . an adjusting mechanism which adjusts the aperture by moving the pair of first plate members . . . a follow-up mechanism which causes the pair of second plate members to move following the pair of first plate members with movement of the first plate members.”

Cosman does not describe or suggest a collimator as recited in Claim 6. More specifically, Cosman does not describe or suggest a collimator that includes three pairs of plate members that are arranged in parallel to each other and that at least partially overlap in the same direction. Further, Cosman does not describe or suggest a collimator that includes an adjusting mechanism that only controls the movement of a first pair of plate members. Moreover, Cosman does not describe or suggest a collimator that includes a follow-up mechanism that causes a second pair of plates to move with the movement of the first pair of plates. More specifically, as recited in Claim 6, the movement of at least one pair of plates is dependent on the movement of another pair of plates. In contrast, Cosman describes a collimator, wherein each pair of plates moves independently of the movement of every other pair of plates. Accordingly, Claim 6 is submitted to be patentable over Cosman.

Claims 7 and 10 depend from independent Claim 6. When the recitations of Claims 7 and 10 are considered in combination with the recitations of Claim 6. Applicant submits that Claims 7 and 10 likewise are patentable over Cosman.

For at least the reasons set forth above, Applicant respectfully requests that the Section 102 rejection of Claims 1-3, 5-7, and 10 be withdrawn.

Claims 4, 8, and 9 were objected to, but were indicated as being allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

Claim 4 depends from Claim 1, which is submitted to be patentable over the cited art. When the recitations of Claim 4 are considered in combination with the recitations of Claim 1, Applicant submits that Claim 4 likewise is patentable over the cited art.

Claims 8 and 9 depend from Claim 6, which is submitted to be patentable over the cited art. When the recitations of Claims 8 and 9 are considered in combination with the recitations of Claim 6, Applicant submits that Claims 8 and 9 likewise are patentable over the cited art.

For at least the reasons set forth above, Applicant respectfully requests that the objection to Claims 4, 8, and 9 be withdrawn.

Applicant believes that the Statement of Reasons for Allowance is improper as reasons for allowance are only warranted in instances in which the record of the prosecution as a whole does not make clear the Examiner's reasons for allowing a claim or claims (see 37 CFR §1.104(e)). In the present case, Applicant believes the record as a whole does make the reasons for allowance clear and therefore no statement by the Examiner is necessary or warranted. Furthermore, Applicant does not necessarily agree with each statement in the reasons for allowance and does not necessarily agree with the Examiner's interpretation of the teachings of the cited art.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Robert B. Reeser, III', is written over a horizontal line. The signature is stylized with large, sweeping loops and a long horizontal stroke extending to the right.

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